

DEPARTMENT OF TRANSPORTATION

DES-OE MS #43
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**** WARNING ** WARNING ** WARNING ** WARNING ****

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June 18, 2003

05-SLO-1-29.1/36.8
05-0A1304
ACSTPHG-P001(499)E

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in SAN LUIS OBISPO COUNTY NEAR SAN LUIS OBISPO FROM 0.1 KM NORTH OF WESTMONT DRIVE TO 0.4 KM NORTH OF EDUCATION DRIVE.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on June 26, 2003, instead of the original date of June 24, 2003.

This addendum is being issued to set a new bid opening date as shown herein and revise the Notice to Contractors and Special Provisions.

In the Notice to Contractors, the third component of the first paragraph is revised as follows:

"will be received at the Department of Transportation, 1120 N Street, Room 0200, MS #26, Sacramento, CA 95814, **until 10 o'clock a.m. on Thursday, June 26, 2003**, at which time they will be publicly opened and read in Room 0100 at the same address."

In the Special Provisions, Section 5-1.14, "AREAS FOR CONTRACTOR'S USE, " the following paragraph is added after the first paragraph:

"Attention is directed to "Protection of the Morro Shoulderband Snail" of these special provisions."

In the Special Provisions, Section 5-1.19, "PROTECTION OF THE MORRO SHOULDERBAND SNAIL," is added as attached.

In the Special Provisions, Section 10-1.01, "ORDER OF WORK," the following paragraph is added after the first paragraph:

"Once shoulder widening or culvert work commences at a location of known Morro Shoulderband Snail habitat (areas outside of the traveled way), all work shall progress diligently to completion of all work impacting habitat in that location. Attention is directed to "Protection of the Morro Shoulderband Snail" of these special provisions."

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To Proposal and Contract book holders:

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Submit bids in the Proposal and Contract book you now possess. Holders who have already mailed their book will be contacted to arrange for the return of their book.

Inform subcontractors and suppliers as necessary.

This office is sending this addendum by confirmed facsimile to all book holders to ensure that each receives it. A copy of this addendum and the modified wage rates are available for the contractor's use on the Internet Site:

http://www.dot.ca.gov/hq/esc/oe/weekly_ads/addendum_page.html

If you are not a Proposal and Contract book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,

ORIGINAL SIGNED BY

REBECCA D. HARNAGEL, Chief
Office of Plans, Specifications & Estimates
Office Engineer

Attachment

5-1.19 PROTECTION OF THE MORRO SHOULDERBAND SNAIL

The location of this project is within an area that is the habitat of the Morro Shoulderband Snail, which is listed as Federally Endangered species and is protected by the Endangered Species Act.

The Contractor shall furnish a qualified biologist who will be responsible for overseeing compliance with protective stipulations for the Morro Shoulderband Snail.

The qualified biologist shall be responsible to see that all persons employed on the construction project shall receive instruction regarding the Morro Shoulderband Snail prior to performing on-site work. Instruction shall include the importance of the Morro Shoulderband Snail to the environment, recovery efforts for the Morro Shoulderband Snail, implications of the Endangered Species Act. Employees shall be notified that they are not authorized to handle or otherwise move any Morro Shoulderband Snail encountered on the project site. An education program that has been previously approved by the U.S. Fish and Wildlife Service (USFWS) may be used to satisfy this term and condition, provided project-specific mitigation measures are fully discussed.

Only biologists authorized by the U.S. Fish and Wildlife Service shall handle the Morro Shoulderband Snail. Caltrans shall submit the name(s) of the proposed authorized biologist to the Service for review and approval at least 5 days prior to the onset of activities. No construction activities shall begin until an authorized biologist is approved.

The authorized Morro Shoulderband Snail biologist shall monitor and shall be available on site during construction to conduct surveys and remove any snails found within project work areas and move them to adjacent habitat areas outside of the construction zone. The biologist shall be present during all activities that impact habitat such as, clearing, grubbing, earthwork and drainage outside of the existing asphalt concrete pavement.

The Contractor shall contain all activities, equipment and vehicle within 3.05 m (10 ft) of the edge of shoulder, areas of work (defined by cuts and fills and/or within approved staging areas).

The authorized biologist shall maintain a record of all the Morro Shoulderband Snail handled. The following information shall be included for each of the Morro Shoulderband Snail:

- 1). The locations (narrative and maps) and dates of observations,
- 2). Location moved from and location moved to,
- 3). Diagnostic markings.

No later than 30 days after the completion of construction, authorized biologist shall prepare a report for U.S. Fish and Wildlife Service. The report shall document the effectiveness and practicality of the avoidance and minimization measures, the number of the Morro Shoulderband Snail moved from the site, the number of the Morro Shoulderband Snail killed or injured. The report shall make recommendations for modifying the stipulations to enhance the Morro Shoulderband Snail protection or to make it more workable for the contractor. The report shall provide an estimate of the actual acreage disturbed by the widening projects.

Full compensation for conforming to the requirements of this section, including furnishing the biologist, shall be considered as included in the contract prices paid for the various items of work and no additional compensation will be allowed therefor.